

UNITED STATES DISTRICT COURT

for

Western District of Texas

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: James Eugene Owens Case Number: 7:09CR00225-001

Name of Sentencing Judicial Officer: Honorable Robert Junell, U.S. District Judge

Date of Original Sentence: January 14, 2010

Original Offense: Attempt to Manufacture 5 grams or More of Actual Methamphetamine, And/or 50 Grams or more of a Mixture And Substance Containing Methamphetamine in violation of 21 U. S. C. §§ 841(a)(1), 841(b)(1)(B) and 846

Original Sentence: 120 months imprisonment; 8 years supervised release

Type of Supervision: Supervised Release Date Supervision Commenced: December 14, 2020

Assistant U.S. Attorney: Mr. Austin M. Berry Defense Attorney: Mr. Adrian A. Chavez

PREVIOUS COURT ACTION

On January 13, 2020, the Offender's supervised release was revoked, and he was sentenced to 14 months imprisonment followed by 2 years of supervised release due to the Offender being arrested for open container and admission to both alcohol and marijuana use.

On April 14, 2022, a 12A was filed. The Offender submitted a sweat patch that tested positive for methamphetamine, and the offender admitted to additional use of marijuana and methamphetamine. No action was taken, and the offender was referred to outpatient treatment services.

PETITIONING THE COURT

- ☒ The issuance of a warrant
☐ The issuance of a summons

The probation officer believes that the offender has violated the following condition(s) of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
1.	"The defendant shall not commit another federal state, or local crime."
2.	"The defendant shall not unlawfully possess a controlled substance. The defendant shall refrain from any unlawful use or a controlled substance. The defendant shall submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as determined by the court."

3. “The defendant shall abstain from the use of alcohol and/or all other intoxicants during the term of supervision.”

On September 29, 2022, the Midland Police Department arrested Offender for Possession of a Controlled Substance PG 1/1-B <1 gram, SJF. Offender was pulled over for a traffic violation. Officers contacted James Owens, as the driver, with a strong odor of alcohol emitting from his breath. LaDonna Wynne was in the passenger seat of the vehicle exhibiting physical signs of being intoxicated from an unknown substance. Officers searched Owens’ vehicle and discovered small, glass like shards on the floorboard of the vehicle. Upon further investigation, it was discovered that the shards were methamphetamine. When Officers asked who the methamphetamine belonged to, both denied admission of possession. Owens and Wynne were arrested and taken to the Midland County Detention Center.

4. “The defendant shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony unless granted permission to do so by the Probation Officer.”

After a criminal history review, it was discovered that LaDonna Wynne has been convicted of multiple felonies on May 15, 2007, for Possession of a Controlled Substance PG 1 >=1G<4G, assault of a public servant, abandon/endangerment of a child criminal negligence. Also, Wynne was convicted of aggravated robbery on March 7, 2019.

U.S. Probation Officer Recommendation:

The term of supervision should be

- ☒ revoked. (Maximum penalty: 60 months imprisonment; Lifetime supervised release; and payment of any unsatisfied monetary sanction previously imposed)
- ☐ extended for _____ years for a total term of _____ years

The conditions of supervision should be modified as follows:

Approved by:



Keith Thompson
Supervising U.S. Probation Officer
Telephone: (432) 685-0314

Respectfully submitted by:



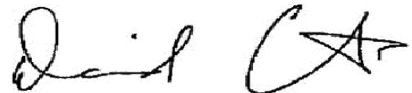
Reys J. Cruz
U.S. Probation Officer
Telephone: (432) 685-0329
Date: October 12, 2022
Midland/Odessa Division

/rjc

cc: Brandi Young, AUSA
Javier Cenicerros, ADCUSPO

THE COURT ORDERS:

- ☐ No action.
- ☒ The issuance of a warrant.
- ☐ The issuance of a summons.
- ☐ Other _____
-



Honorable David Counts
U.S. District Judge

October 12, 2022

Date